



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,947	01/27/2004	Anirudh J. JOSHI	PR 1804.01 US	1946

31883 7590 09/18/2007  
DVA/PIONEER RESEARCH CENTER USA, INC.  
2265 E. 220TH STREET  
LONG BEACH, CA 90810

EXAMINER
----------

SALCE, JASON P

ART UNIT	PAPER NUMBER
----------	--------------

2623

MAIL DATE	DELIVERY MODE
-----------	---------------

09/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/707,947

Applicant(s)

JOSHI, ANIRUDH J.

Examiner

Jason P. Salce

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 6-7, 9, 11-12, 16-17, 19, 21-22, 26-27 and 29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kim et al. (U.S. Patent No. 6,405,372).

Referring to claim 1, Kim discloses retrieving program data in a terrestrial broadcast system (**see Column 2, Lines 16-22**).

Kim also discloses filtering program data via a first tuner while a second tuner receives audio or video information of a channel from a transport stream (**see Column 2, Lines 3-22**).

Kim also discloses parsing the program data for channel information (**see Column 3, Lines 53-67**).

Kim also discloses storing the channel information in a database (**see Column 2, Lines 18-20**).

Referring to claim 2, Kim discloses that the program data is provided by a protocol (**see Column 2, Lines 42-46**).

Referring to claim 6, Kim discloses coding and modulating the transport stream

(see Column 1, Lines 13-25 and Column 2, Lines 42-54).

Referring to claim 7, Kim discloses transmitting the transport stream via a channel (see Column 2, Lines 42-54).

Referring to claim 9, Kim discloses identifying a channel of the digital television station from the transport stream (see Column 2, Lines 50-54).

Referring to claims 11-12, 16-17 and 19, see the rejection of claims 1-2, 6-7 and 9, respectively.

Referring to claims 21-22, 26-27 and 29, see the rejection of claims 1-2, 6-7 and 9, respectively.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 8, 10, 13-15, 18, 20, 23-25, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (U.S. Patent No. 6,405,372).

Referring to claim 3, Kim discloses all of the limitations in claim 2, but fails to

Art Unit: 2623

specifically state that the MPEG signal has additionally applied the ATSC EPG regulation standard protocol.

However, Kim does teach that special EPG regulation standards, such as the ATSC standard (which inherently includes using the PSIP tables) can be used in digital video broadcasting systems (**see Column 1, Lines 26-37**).

Therefore, it would have been obvious for a person of ordinary skill in the art, to modify the EPG broadcasting system that transmits EPG data to a receiver over a digital video broadcast network, as taught by Kim, using the ATSC standard, also taught by Kim, for the purpose of providing a platform independent method for processing EPG data, so that any model television receiver can receive and process EPG information for display to a viewer.

Referring to claim 4, Kim inherently discloses (**by teaching the use of the ATSC standard**) that the PSIP includes a system time table (**see the ATSC standard cited by the examiner**).

Referring to claim 5, Kim inherently discloses (**by teaching the use of the ATSC standard**) that the PSIP includes a PAT that includes program data information (**see the ATSC standard cited by the examiner**).

Referring to claim 8, Kim discloses that the program data is provided for event

selection (see Column 2, Lines 42-43 the system receiving EPG data and note that an EPG is used for program/event selection).

Referring to claim 10, Kim discloses tuning to the channel by a receiver (see tuner 100 in Figure 1).

Referring to claims 13-15, 18 and 20, see the rejection of claims 3-5, 8 and 10, respectively.

Referring to claims 23-25, 28 and 30, see the rejection of claims 3-5, 8 and 10, respectively.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce  
Primary Examiner  
Art Unit 2623

September 16, 2007

A handwritten signature in black ink, appearing to read "Jason Salce", is written over the typed name and title.